

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3311 of 2020**

- Manuram Mandavi S/o Goandoram Mandavi Aged About 28 Years R/o Village Sawala Manjhapara P.S. Dhanora, District Kondagaon Chhattisgarh (name is wrongly mentioned in impugned order)

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Dhanora, District Kondagaon Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Pravin Kumar Tulysan, Adv.
For Respondent-State	:-	Mr. K.K. Singh, G.A.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**14/08/2020**

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.05/2019 registered in Police Station Dhanora District Kondagaon for the offence punishable under Sections 458, 354, 325, 326 of the I.P.C.

3. Case of the prosecution, in brief, is that applicant committed house trespass in the house of the prosecutrix at about 9 p.m. on 12.05.2019 and outraged the modesty of the prosecutrix. At the same time, he chewed the right ear of the prosecutrix and assaulted her over other parts of the body. The applicant ran away from the place of occurrence when the prosecutrix raised alarm.
4. The applicant was arrested on 17.05.2019 and the trial against him was concluded by JMFC, Keshkal, District Kondagaon for Criminal Case No.118/19 decided on 07.01.2020 and the applicant was convicted to undergo RI and pay fine of ₹500/- for each of the offence i.e., under Section 458, 354, 325 of the I.P.C. The Criminal Appeal preferred by the applicant was allowed in part by ASJ, Kondagaon and the trial has been reopened with certain directions regarding framing of necessary charges.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering that the applicant is in jail since 17.05.2019 and had participated in the trial as also for the reason that the maximum punishment initially awarded to him was RI for 02 years out of which he has already undergone about 1 year and 3 months, this Court is inclined to release the applicant on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of ₹50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi